

Applicant or Patentee: Subroto B. Chatterjee
Serial or Patent No.:

Attorney Docket No.

Filed or Issued:
For: Recombinant N-Smase and Nucleic Acids Encoding Same

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(D)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE
Address of Organization: 720 Rutland Avenue
Baltimore, Maryland 21205

Type of Organization:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
 TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
 NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE:)
(CITATION OF STATUTE:)
 WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
 WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE:)
(CITATION OF STATUTE:)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled Recombinant N-Smase and Nucleic Acids Encoding Same by inventor(s) Subroto B. Chatterjee described in

- the specification filed herewith.
 application serial no. _____, filed _____
 patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

INDIVIDUAL SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Howard W. Califano, Esq.

Title: Assistant Dean and Director

Address: 2024 East Monument Street, Suite 2-100 Baltimore, Maryland 21205

Signature: Howard W. Califano Date: 12-20-96

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RECOMBINANT N-SMASES AND NUCLEIC ACIDS ENCODING SAME

which is described and claimed in:

- the specification attached hereto.

the specification in U.S. Application Serial Number _____, filed on _____.

the specification in PCT international application Number _____,
filed on _____; and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to termination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed and have also identified below any foreign application for patent or inventor's certificate having a filing date before that application on which priority is claimed.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| Prior U.S. Applications or PCT International Applications Designating the U.S.-Benefit Under 35 U.S.C. §120 | | | | |
|---|------------------|--------------------------|--------------------|---------|
| U.S. Applications | | | Status (Check One) | |
| Application Serial No. | U.S. Filing Date | | Patented | Pending |
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| PCT Applications Designating the U.S. | | | | |
| Application No. | Filing Date | U.S. Serial No. Assigned | | |
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**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| Applicant | Provisional Application Number | Filing Date |
|-----------|--------------------------------|-------------|
| | | |
| | | |
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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| | | |
|--|---|---------------------------------------|
| Peter F. Corless (Reg. No. 33,860) | Ernest V. Linek (Reg. No. 29,822) | Peter J. Manus (Reg. No. 26,766) |
| Sewall P. Bronstein (Reg. No. 16,919) | Linda M. Buckley (Reg. No. 31,003) | David S. Resnick (Reg. No. 34,235) |
| David G. Conlin (Reg. No. 27,026) | Ronald I. Eisenstein (Reg. No. 30,628) | |
| George W. Neuner (Reg. No. 26,964) | Henry D. Pahl, Jr. (Reg. No. 20,438) | |

| | |
|--|---|
| SEND CORRESPONDENCE TO: Peter F. Corless Dike, Bronstein, Roberts & Cushman, LLP 130 Water Street Boston, Massachusetts 02109 | DIRECT TELEPHONE CALLS TO: Peter F. Corless (617) 523-3400 |
|--|---|

- 3 -

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|----------------------------|--|---|--|
| FULL NAME OF INVENTOR | LAST NAME Chatterjee | FIRST NAME Subroto | MIDDLE NAME |
| RESIDENCE & CITIZENSHIP | CITY Columbia | STATE OR FOREIGN COUNTRY Maryland | COUNTRY OF CITIZENSHIP United States |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS 6098 Sebring Drive | CITY Columbia | STATE OR COUNTRY AND ZIP CODE Maryland 20144 |

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201



Date:

12/23/96

RECORDATION FORM COVER SHEET

PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Subroto CHATTERJEE

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other _____

Execution Date: December 23, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: December 23, 1996

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Peter F. Corless

Internal Address: _____

Dike, Bronstein, Roberts & Cushman, LLP
Street Address: 130 Water Street

City: Boston State: MA ZIP: 02109

6. Total number of applications and patents involved: 3

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

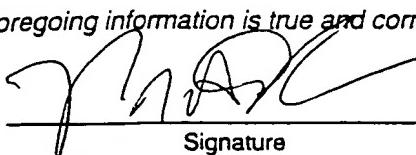
DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter F. Corless (Reg. 33,860)

Name of Person Signing



Signature

December 24, 1996

Date

3

Total number of pages including cover sheet, attachments, and document:

JC612 U S P R O
09/28/99
03/31/99



Attorney Docket No. _____

ASSIGNMENT

WHEREAS, I, Subroto B. Chatterjee of inventor residing at 6098 Sebring Drive Columbia, Maryland 21044, a citizen of the United States, (hereinafter referred to as "Assignor"), have invented certain new and useful improvements in "**Recombinant N-Smase and Nucleic Acids Encoding Same**", for which an application for United States Letters Patent was filed on _____, with the same title, and

WHEREAS, Johns Hopkins University, located at 2024 East Monument Street Suite 2-100 Baltimore, Maryland 21205, (hereinafter referred to as the "Assignee"), is desirous of acquiring the entire right, title and interest in and to the said invention, and in and to the said application, and any Letters Patent that may issue thereon;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for and in consideration of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest for the United States in and to the said invention and in and to the said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, in whole or in part, re-examinations, and extensions thereof, and all applications claiming priority therefrom; and the Assignors hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as their interest is concerned, to the Assignee; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors also have sold, assigned, and transferred, and do hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest in and to the invention disclosed in said application, in all countries of the world foreign to the United States, including the right to file applications and obtain patents for said invention in its own name in said countries and including all rights of priority in said countries under the terms of any applicable international convention; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for which any and all of said Letters Patent for said invention may issue, to the same extent as the Assignors would hold and enjoy if this Assignment had not been made.

The Assignors further agree to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights, and also agree, at the request of the Assignee, to testify in any legal proceedings, sign all lawful papers, make all lawful oaths, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain, maintain and enforce proper patent protection for said invention in all countries.

The Assignors also hereby grant **SPENCER & FRANK** the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Attorney Docket No. _____

IN WITNESS WHEREOF, the Assignors have caused this Assignment to be executed.

Dated this 23 day of Dec, 1996.

Subroto Chatterjee

Subroto B. Chatterjee

CERTIFICATE

State of Maryland)
County of Baltimore)

Personally appeared before me the above-named Subroto B. Chatterjee, who signed the foregoing Assignment in my presence on the date thereof and acknowledged the same to be his voluntary act and deed.

Karen Bender
NOTARY PUBLIC

My commission expense
8/1/00